



General Assembly

February Session, 2004

Raised Bill No. 367

LCO No. 1503

01503_____PRI

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

***AN ACT CONCERNING THE WATER PLANNING COUNCIL AND A
LONG-RANGE PLAN FOR MANAGEMENT OF WATER RESOURCES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-352 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) The [Department of Environmental Protection, the Department
4 of Public Health and the Office of Policy and Management,] Water
5 Planning Council established pursuant to section 25-33o, as amended
6 by this act, shall establish a continuing planning process and shall
7 [prepare] develop, approve and periodically update [jointly] a state-
8 wide long-range plan for the management of the water resources of the
9 state. In [carrying out such preparation the aforesaid agencies]
10 developing the plan, the council shall: (1) Design a unified planning
11 program and budget, [;] (2) coordinate regional water and sewer
12 facilities plans and provide technical or financial assistance to regional
13 planning agencies in the preparation of regional water and sewer
14 facilities plans which are necessary as guidelines for the planning and
15 designing of local and interlocal facilities and which are required by
16 the federal government as a prerequisite for grants to municipalities

17 for the construction of certain water and sewer facilities, (3) seek
18 involvement by interested parties, as deemed appropriate by the
19 council, and (4) integrate individual water utility coordinating
20 committee plans, the State Plan of Conservation and Development
21 adopted under section 16a-30 and any other planning documents the
22 council deems necessary.

23 (b) The state-wide water resources plan shall: (1) Identify the
24 quantities and qualities of water that could be available to specific
25 areas under feasible distribution, [;] (2) identify present and projected
26 demands for water for specific areas, [;] (3) recommend the utilization
27 of the state's water resources, including surface and subsurface water,
28 for their greatest benefits, [;] (4) make recommendations for such major
29 engineering works or special districts which may be necessary,
30 including the need, timing and general cost thereof, [;] (5) recommend
31 land use and other measures where appropriate to insure the desired
32 quality and abundance of water, [;] (6) take into account desired
33 recreational, agricultural, industrial and commercial use of water
34 bodies, [; and] (7) seek to incorporate regional and local plans and
35 programs for water use and management and plans for water and
36 sewerage facilities in the state-wide plan, and (8) include short and
37 long range objectives and strategies to achieve the requirements of this
38 subsection and subsection (a) of this section.

39 [(c) Upon completion of each planning document and when
40 adopted by the Commissioner of Environmental Protection, the
41 Commissioner of Public Health and the Secretary of the Office of
42 Policy and Management, said final plan shall be submitted to the
43 General Assembly.]

44 (c) The plan required by this section shall be developed by the
45 council not later than July 1, 2005, and updated every five years
46 thereafter. Unanimous approval shall be required by the council for
47 adoption of each plan.

48 (d) The council shall report a summary of any plan required by this

49 section and a summary of the implementation of such plan to the joint
50 standing committees of the General Assembly having cognizance of
51 matters relating to public health, the environment and public utilities,
52 in accordance with section 11-4a, not later than July 1, 2005, and
53 annually thereafter.

54 Sec. 2. Section 25-33o of the general statutes, as amended by section
55 3 of public act 03-141, is repealed and the following is substituted in
56 lieu thereof (*Effective October 1, 2004*):

57 (a) The chairperson of the Public Utility Control Authority, or the
58 chairperson's designee, the Commissioner of Environmental
59 Protection, or the commissioner's designee, the Secretary of the Office
60 of Policy and Management, or the secretary's designee, and the
61 Commissioner of Public Health, or the commissioner's designee, shall
62 constitute a Water Planning Council to address issues involving the
63 water companies, water resources and state policies regarding the
64 future of the state's drinking water supply. The chairperson of the
65 Public Utility Control Authority shall convene the first meeting of the
66 council.

67 (b) The Water Planning Council shall conduct a study, in
68 consultation with representatives of water companies, municipalities,
69 agricultural groups, environmental groups and other water users, that
70 shall include the following issues: (1) The financial viability, market
71 structure, reliability of customer service and managerial competence of
72 water companies; (2) fair and reasonable water rates; (3) protection and
73 appropriate allocation of the state's water resources while providing
74 for public water supply needs; (4) the adequacy and quality of the
75 state's drinking water supplies to meet current and future needs; (5) an
76 inventory of land and land use by water companies; (6) the status of
77 current withdrawals, projected withdrawals, river flows and the future
78 needs of water users; (7) methods for measurement and estimations of
79 natural flows in Connecticut waterways in order to determine
80 standards for stream flows that will protect the ecology of the state's

81 rivers and streams; (8) the status of river flows and available data for
82 measuring river flows; (9) the streamlining of the water diversion
83 permit process; (10) coordination between the Departments of
84 Environmental Protection, Public Health and Public Utility Control in
85 review of applications for water diversion; and (11) the procedure for
86 coordination of planning of public water supply systems established in
87 sections 25-33c to 25-33j, inclusive. Such study shall be conducted on
88 both a regional and state-wide level.

89 (c) The council shall develop and supervise implementation of a
90 structured approach for water resource planning and allocation among
91 users, including, but not limited to, conservation and recreation
92 groups, businesses and agricultural interests, on a comprehensive
93 state-wide level. Such an approach shall authorize the council to
94 identify steam flow goals based on proper planning and scientifically
95 quantifiable data, prioritize water apportionment among such users
96 and oversee a water diversion permitting process to effectively allocate
97 water resources.

98 ~~[(c)]~~ (d) The council shall [, not later than January 1, 2002, and
99 annually thereafter,] report its [preliminary] findings and any
100 proposed legislative changes to the joint standing committees of the
101 General Assembly having cognizance of matters relating to public
102 health, the environment and public utilities in accordance with section
103 11-4a, [except that not later than February 1, 2004, the council shall
104 report its recommendations in accordance with this subsection with
105 regard to (1) a water allocation plan based on water budgets for each
106 watershed, (2) funding for water budget planning, giving priority to
107 the most highly stressed watersheds, and (3) the feasibility of merging
108 the data collection and regulatory functions of the Department of
109 Environmental Protection's inland water resources program and the
110 Department of Public Health's water supplies section] not later than
111 July 1, 2005, and annually thereafter.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Purpose:

To require the Water Planning Council to develop and approve a long-range state-wide water resource plan and to oversee water resource planning and allocation on a comprehensive state-wide basis.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]